

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 1:23-cr-20375-PCH

UNITED STATES OF AMERICA,

Plaintiff,

v.

YENDRY MORALES PEREZ,

Defendant.


**ORDER ADOPTING AND AFFIRMING R&R AND
ADJUDICATING DEFENDANT GUILTY**

THIS MATTER is before the Court upon Chief Magistrate Judge Edwin G. Torres' Report and Recommendation ("R&R") on Change of Plea [ECF No. 65], which was entered on January 16, 2024. In the R&R, Chief Magistrate Judge Torres found that the Defendant freely and voluntarily entered a plea of guilty as to Count 1 of the indictment, charging him with conspiracy to encourage aliens to enter the United States, in violation of Title 8, United States Code, 1324; Count 54 of the indictment, charging him with aiding and abetting certain aliens to enter the United States, in violation of Title 8, United States Code, 1327; and Count 55 of the indictment, charging him with failure to heave to, in violation of Title 18, United States Code, 2237.

Chief Magistrate Judge Torres recommends that this Court accept Defendant's guilty plea, that Defendant be adjudicated guilty as to Counts 1, 54, and 55 of the indictment, and that a sentencing hearing be conducted for final disposition of this matter. The Court has reviewed Chief Magistrate Judge Torres' R&R, no objections have been filed, and the time to file objections has expired. Therefore, based on a *de novo* review of the evidence presented, it is hereby

ORDERED AND ADJUDGED that (1) Chief Magistrate Judge Torres' R&R on Change of Plea is **ADOPTED** and **AFFIRMED in its entirety**; (2) the Court accepts Defendant's plea of guilty, and Defendant is hereby adjudged guilty as to Counts 1, 54, and 55 of the Indictment; and (3) a sentencing hearing for Defendant before the Honorable Paul C. Huck is set for **April 8, 2024, at 9:00 A.M.**

DONE AND ORDERED in Miami, Florida, on January 24, 2024.



PAUL C. HUCK
UNITED STATES DISTRICT JUDGE

Copies provided to:
Chief Magistrate Judge Edwin G. Torres
Counsel of record